

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

The Authors Guild, et al.	:	
	:	
Plaintiffs,	:	Case No. 05 CV 8136-JES
	:	
v.	:	
	:	
Google Inc.,	:	
	:	
Defendant.	:	
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The McGraw-Hill Companies, Inc., et al.	:	
	:	
Plaintiffs,	:	Case No. 05 CV 8881-JES
	:	
v.	:	
	:	
Google Inc.,	:	
	:	
Defendant.	:	

**DEFENDANT, GOOGLE INC.’S INITIAL DISCLOSURES PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 26(a)(1)**

Pursuant to Federal Rule of Civil Procedure 26(a)(1) and the joint Case Management Order, defendant, Google Inc. (“Google”), through its undersigned counsel, makes the following initial disclosures to the plaintiffs in the above-referenced lawsuits. These disclosures are based on information presently known and reasonably available to Google and which Google reasonably believes it may use in support of its claims and defenses. Continuing investigation and discovery may cause Google to amend these initial disclosures, including by identifying other potential witnesses, documents and by disclosing other pertinent information. Google therefore reserves the right to supplement these initial disclosures.

By providing these initial disclosures, Google does not represent that it is identifying every document, tangible thing or witness possibly relevant to this action. In addition, these

disclosures are made without Google in any way waiving its right to object to any discovery request or proceeding involving or relating to the subject matter of these disclosures on any grounds, including competency, privilege, relevancy and materiality, hearsay, undue burden, confidentiality, or any other appropriate grounds. Furthermore, these disclosures are not an admission by Google regarding any matter.

Each and every disclosure set forth below is subject to the above qualifications and limitations.

1. Individuals Likely To Have Discoverable Information

Individuals likely to have discoverable factual information that Google may use to support its defenses in the above-referenced lawsuits are identified in Attachment A, which by this reference is incorporated herein.

2. Description of Documents

The following enumerates documents, data compilations, and other tangible things in the possession, control or custody of Google that Google may use to support its defenses:

- a. Documents identifying the works, which comprise (or will comprise) the Google Book Search Library Project and related information regarding the works.
- b. Documents describing the Google Book Search Library Project, including the process from receipt of a Works to the display of a portion of it in response to an Internet search query.

- c. Documents describing the purposes for and uses of the Google Search Library Project.
- d. Documents describing the concept and implementation of the Google Book Search Library Project, including security measures and opt-out policies.
- e. Documents describing or relating to benefits to the public from the Google Book Search Library Project.
- f. Documents describing support for the Google Book Search Library Project among authors, publishers, and the general public.
- g. Documents describing the plaintiffs' voluntary participation in the Google Book Search Publisher Program.
- h. Documents regarding agreements with universities and libraries to make the contents of their libraries available through the Google Book Search Library Project.
- i. Documents describing Google Book Search, including the different displays in response to search queries executed by Internet users.

3. Computation of Damages

Google denies liability for damages and does not seek recovery of damages from the plaintiffs in either lawsuit (other than recovery of costs and attorney fees). Google would present evidence of its court costs and attorney fees after the claims against it have been denied or dismissed.

4. Insurance

Google is continuing to investigate potential insurance coverage claims related to the Author Plaintiffs and Publishers Plaintiffs lawsuits.

Dated: June 9, 2006

s/ Ronald L. Raider

Joseph M. Beck

Alex S. Fonoroff

Ronald L. Raider

Kilpatrick Stockton LLP

1100 Peachtree Street, Suite 1100

Atlanta, GA 30309-4530

Telephone: (404) 815-6406

Facsimile: (404) 541-3126

Adam H. Charnes

Kilpatrick Stockton LLP

1001 West Fourth Street

Winston-Salem, NC 27101-2400

Telephone: (336) 607-7382

Facsimile: (336) 734-2602

Jeffrey A. Conciatori

Quinn Emanuel Urquhart Oliver & Hedges

335 Madison Avenue, 17h Floor

New York, NY 10017

Telephone: (212) 849-7000

Facsimile: (212) 849-7100

CERTIFICATE OF SERVICE

This is to certify that the foregoing DEFENDANT'S INITIAL DISCLOSURES was electronically filed with the Clerk of Court using the CM/ECF system that will automatically send email notification of such filing to the following attorney(s) of record:

Sanford P. Dumain (sdumain@milbergweiss.com)
Laura Gundersheim (lgundersheim@milbergweiss.com)
Milberg Weiss Bershad & Schulman LLP
One Pennsylvania Plaza
New York, NY 10119-0165

Michael J. Boni (mboni@kohnswift.com)
Kate Reznick (kreznick@kohnswift.com)
Kohn, Swift & Graf, P.C.
One South Broad Street, Suite 2100
Philadelphia, PA 19107

Bruce P. Keller (bpkeller@debevoise.com)
James J. Pastore, Jr. (jjpastore@debevoise.com)
Debevoise & Plimpton LLP
919 Third Avenue
New York, NY 10022

This 9th day of June, 2006

s/ Ronald L. Raider
Ronald L. Raider

Attachment A

Google BookSearch Team List

Attorney-Client
Confidential

Employee	Title	Department	Topics for Initial Disclosures
Bartelma, Jeff	Associate Product Manager	Product	Book Search user facing features and user interface design
Clancy, Daniel	Engineering Director	Engineering	Engineering related to Book Search; business and management decisions related to Book Search
DeBonis, Laura	Online Sales and Operations Director	Operations	Relationships with Book Search partners; conceptualization of Book Search project (was a founding member of the Book Search Project team)
Edmonds, Amanda	Strategic Partner Manager	Sales	Relationships with Book Search partners
Gerber, Jim	Content Partnerships Director	Sales	Relationships with Book Search partners; business development; business strategies
Grant, Jen	Product Marketing Manager	Marketing	Book Search marketing and outreach
Khaliq, Siraj	Software Engineer	Engineering	Book Search security and user restrictions; image processing and flow; scanstation design; conceptualization of Book Search project (was a founding member of the Book Search Project team)
Kuch, Doug	Head of Global Production, Logistics, Operations - Book Search	Operations	Book flow, scanning, processing, and quality assurance; scan station operation; physical security; conceptualization of Book Search project (was a founding member of the Book Search Project team)
Mathes, Adam	Associate Product Manager	Product	Bibliographic records and metadata; product features involving document understanding, library linking, and public domain book access; ranking
O'Sullivan, Joseph	Software Engineer	Engineering	Google's pre-Book Search scanning and processing; scanning prototypes and design; initial competitive research; initial relationships with libraries; backend engineering; possible research uses of book scans; conceptualization of Book Search project
Peterson, Tillie	Site Manager, Mountain View Print Operations	Operations	Book flow, scanning, processing, and quality assurance; scan station operations; physical security
Rajagopalan, Srikanth	Engineering Project Manager	Engineering	Book Search production tracking and support; integrated scan center engineering; implementation of copyright/genre classification logic; tracking of performance metrics; engineering related to print on demand; on-line
Ratnakar, Viresh	Software Engineer	Engineering	Design and implementation of processing controller; engineering related to how partner libraries obtain scanned versions of

Attachment A

Google BookSearch Team List

*Attorney-Client
Confidential*

Employee	Title	Department	Topics for Initial Disclosures
Smith, Adam	Group Business Product Manager	Product	Management and strategy related to engineering, sales, business development, existing partnerships and relationships, benefits of Book Search; account management, operations and processing,
Vemula, Venu	Software Engineer	Engineering	Book Search security and user restrictions; tracking of performance metrics
Wojcicki, Susan	VP, Product Management	Product Management	Strategy related to business development, feature development, marketing, and public relations/communications; benefits of Book Search